

MANDATE**UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT
MOTION INFORMATION STATEMENT****ORIGINAL**Caption [use short title] USA v. GOTTL, et al.Docket Number(s): 04-2746 crMotion for: MOTION TO WITHDRAW APEAL ON BEHALF OF PRIMO CASSARINO

Set forth below precise, complete statement of relief sought: Defendant-Appellant Primo Cassarino moves to withdraw his appeal.

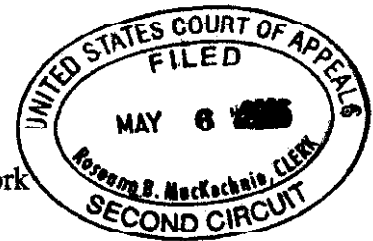
MOVING PARTY: Primo Cassarino
☐ Plaintiff
 ☒ Defendant
☒ Appellant/Petitioner
 ☐ Cross-Appellee

MOVING ATTORNEY:

 Richard Ware Levitt, Esq.
 148 E. 78th Street
 New York, NY 10021
 (212) 737-0400
 rlevitt@richardlevitt.com

FILED
 IN CLERKS OFFICE
 U.S. DISTRICT COURT ED. N.Y.
 JUN 15 2005

OPPOSING ATTORNEY:

 AUSA Katya Jestin
 U.S. Attorney's Office
 Eastern District of New York
 One Pierrepont Plaza
 Brooklyn, N.Y. 11201
 (718) 254-7000
OPPOSING PARTY: USA
 P.M.
 TIME A.M.
Court/Judge/Agency appealed from: United States District Court (EDNY)(Hon. Frederic Block, J.)

Please check appropriate boxes:

**FOR EMERGENCY MOTIONS, MOTIONS FOR
STAYS AND INJUNCTIONS PENDING APPEAL:**

Has consent of opposing counsel:

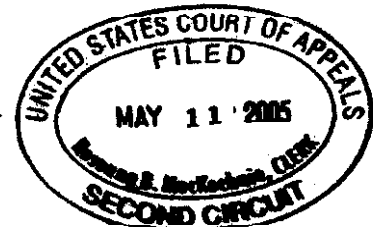
 A. been sought? ☐ Yes ☒ No
 B. been obtained? ☐ Yes ☒ No
Has request for relief been made below? ☐ Yes ☒ No
 Has this relief been previously sought in
 In this Court? ☐ Yes ☒ No

 Is oral argument requested? ☐ Yes ☒ No
 (requests for oral argument will not necessarily be granted)

Requested return date and explanation of emergency:

Has argument date of appeal been set: ☒ Yes ☐ NoIf yes, enter date as early as week of 6/27/05

Signature of Moving Attorney:

Date: May 5, 2005
 Has service been effected? ☒ Yes ☐ No
 [Attach proof of service]
**ORDER**

Leave this space blank.

IT IS HEREBY ORDERED that the motion is
granted. Appeal No. 04-5071 is dismissed.
Date: 5-11-05

Roseann B. MacKechnie, CLERK

Form T-1080 (Revised 12/12/01)

by

DEPUTY CLERK

 FOR THE COURT:
 ROSEANN B. MACKECHNIE, Clerk

 by Tracy Young
 Tracy Young, Administrative Attorney

MANDATE ISSUED: 6-1-05